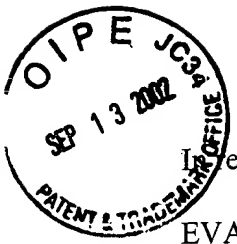


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ATTORNEY DOCKET NO.: 09756291-9004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

EVANS et al.

Appln. No.: 09/756,291

Filed: January 9, 2001

FOR: FORMULATION

)
) Group Art Unit: 1617
)
) Examiner: Hui, San-ming
)
)
)
)

Commissioner of Patents
Washington, D.C. 20231

Date: September 13, 2002

Sir:

AMENDMENT AND RESPONSE

09/13/2002 BARRAH1 00000047 500310 09756291

324.00 CH
84.00 CH

This is in response to the Office Action dated March 13, 2002, the time for responding to which has been extended to September 13, 2002 by the petition and authorization for fee payment submitted herewith. Please amend the claims as follows:

IN THE CLAIMS:

Please cancel claims 1-23, without waiver or prejudice, and add the following new claims 24-50:

24. A method of treating a benign or malignant disease of the breast or reproductive tract by administration to a human in need of such treatment an intra-muscular injection of a pharmaceutical formulation comprising fulvestrant, 30% or less weight of a pharmaceutically-acceptable alcohol per volume of formulation, at least 1% weight of a pharmaceutically-acceptable non-aqueous ester solvent miscible in a ricinoleate vehicle per volume of formulation and a sufficient amount of a ricinoleate vehicle, whereby a

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